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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DA 94-161

In ~~the~~ Matter of

Guidelines for Evaluating the
Environmental Effects of
Radiofrequency Radiation

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ET Docket No. 93-62

ORDER EXTENDING TIME FOR REPLY COMMENTS

Adopted: February 17, 1994;

Released: February 18, 1994

Reply Comment Date: April 25, 1994

By the Chief, Office of Engineering and Technology

1. On February 15, 1994, the Mobile Communications Division of the Telecommunications Industry Association ("TIA") filed with the Commission a "Motion for Extension of Time" in the above-named proceeding. TIA has requested that the Commission extend, by a period of 60 days, the time for filing reply comments.

2. The Commission has proposed to incorporate into its rules the revised standard of the American National Standards Institute (ANSI) developed by the Institute of Electrical and Electronics Engineers (IEEE) and designated IEEE C95.1-1991 (also ANSI/IEEE C95.1-1992) for human exposure to radiofrequency (RF) fields.¹ The deadline originally established for filing comments in this proceeding was August 13, 1993, and the date for reply comments was September 13, 1993.

3. Previously, on August 3, 1993, the Commission granted a request filed by the National Association of Broadcasters (NAB) for an extension of time of ninety (90) days for filing comments

¹ See Notice of Proposed Rule Making in ET Docket 93-62, 8 FCC Rcd 2849 (1993).

and reply comments.² This action established a new deadline for filing comments of November 12, 1993, and a new deadline for filing reply comments of December 13, 1993.

4. Subsequently, on November 2, 1993, CBS, Inc., ("CBS") and Capital Cities/ABC, Inc., filed a request to extend the comment and reply comment deadlines an additional sixty (60) days. The Commission approved this request changing the deadlines for filing comments and reply comments to January 11, 1994, and February 10, 1994, respectively.³ On January 3, 1994, CBS filed a request for an additional 14 day extension. This was also approved resulting in new dates of January 25, 1994, and February 24, 1994, for comments and reply comments.⁴

5. The first extension was granted to allow NAB time to complete a study commissioned to develop non-measurement based techniques for determining compliance with new guidelines. The second extension was granted in response to filings by CBS, Capital Cities, and Hammett and Edison, Inc., noting that new information from the NAB study and other experimental results relevant to the consequences of the proposed guidelines had only recently become available. CBS and Capital Cities maintained that additional time was necessary to consider the implications of the new data, both to determine whether further study was required and to assess the effect that the proposed guidelines will have on broadcast operations.

6. The most recent extension was granted to allow CBS an additional 14 days to perform measurements and to organize and analyze data that is relevant in considering implementation of new guidelines on RF induced currents. CBS also requested additional time to facilitate the filing of a single set of comments representing the views of itself and several other broadcast entities.

7. The TIA represents manufacturers and suppliers of telecommunications equipment used primarily in the cellular, private land-mobile radio, cordless radio and personal communications services. In the latest request for an extension TIA points out that there have been over 1200 pages of comments filed with the Commission to date in this proceeding over the approximately nine-month period that was ultimately allowed for

² See Order Extending Time for Comments and Reply Comments, ET Docket 93-62, 8 FCC Rcd 5528 (1993).

³ See Order Extending Comments and Reply Comments, ET Docket 93-62, 58 Fed. Reg. 60827 (November 18, 1993).

⁴ See Order Extending Time for Comments and Reply Comments, ET Docket 93-62, 59 Fed. Reg. 3050 (January 20, 1994).

comments. Therefore, TIA maintains that it would not be equitable to allow only a thirty-day period in which to evaluate and respond to these comments, especially in view of the complex nature of the issues involved.

8. The Commission does not routinely grant requests for extensions of time.⁵ However, we continue to recognize the complexity of the issues raised by the new exposure guidelines and the difficulties in developing reasonable methods by which compliance can be evaluated. We also agree that the many comments filed in this docket to date require a more reasonable amount of time for review and response. Therefore, the request by TIA for a further extension is justified.

9. Accordingly, IT IS ORDERED THAT the deadline for filing reply comments IS EXTENDED to April 25, 1994. This action is taken pursuant to Sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i) and 303, and pursuant to Sections 0.31, 0.241 and 1.46 of the Commission's Rules, 47 C.F.R. Sections 0.31, 0.241 and 1.46.

Federal Communications Commission

A handwritten signature in black ink, reading "Thomas P. Stanley". The signature is written in a cursive, flowing style with a large, prominent "S" at the end.

Thomas P. Stanley
Chief Engineer

⁵ 47 C.F.R. Section 1.46 (1991).